

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	
)	Cr. No. 6:07-938-HMH
vs.)	
)	OPINION & ORDER
Jon Leon Lindsey,)	
)	
Movant.)	

This matter is before the court on Jon Leon Lindsey's ("Lindsey") motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255.¹

On October 23, 2007, Lindsey pled guilty to being a felon in possession of a firearm and ammunition. On January 30, 2008, Lindsey was sentenced to thirty-seven (37) months' imprisonment to be served concurrently with the state sentence that he is presently serving. He did not appeal his sentence. Lindsey filed a pro se § 2255 motion on December 16, 2008 in the form of a letter. In an order dated December 17, 2008, the court directed Lindsey to submit the motion using AO form 243 within twenty (20) days. On January 15, 2009, out of an abundance of caution, the clerk re-mailed the AO form 243 after learning that Lindsey was moved to FCI Edgefield. Lindsey has failed to respond.

The court grants Lindsey fifteen (15) days from the date of this order to submit his § 2255 motion in the proper form. **If Lindsey fails to submit his § 2255 motion in proper form, the court will dismiss this motion for failure to "prosecute or to comply with . . . a court order" pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.**

¹ Lindsey submitted a letter to the court on December 16, 2008, asking the court to "[p]lease accept this letter as a motion to vacate sentence." (Lindsey's Letter 1.)

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
February 25, 2009